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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

NGOC TUY CHAU,

Plaintiff,

v.

THOMAS RIDGE, as Secretary of the
Department of Homeland Security;
EDUARDO AGUIRRE, Director of U.S.
Citizen and Immigration Services;
DAVID STILL, as Director of the
United States Citizenship & Immigration
Services for San Francisco, California,

Defendants.

No. C 07-2267-JF

**STIPULATION TO VACATE HEARING
AND CASE MANAGEMENT
CONFERENCE; AND [PROPOSED]
ORDER**

Date: October 26, 2007
Time: 9:00 a.m.
Courtroom: 3

The plaintiff, by and through his attorney of record, and defendants, by and through their attorneys of record, hereby stipulate, subject to approval of the Court, to vacate the hearing in the above-entitled matter, currently set for October 26, 2007, at 9:00 a.m., and to decide this matter on the papers.

The parties also jointly ask this Court to vacate the case management conference, currently set for October 26, 2007. If this Court denies the government's unopposed motion to dismiss, the parties will promptly file a case management statement and ask this Court to set a case

1 management conference.

2 Dated: October 25, 2007

Respectfully submitted,

3 SCOTT N. SCHOOLS
4 United States Attorney

5
6 /s/
7 EDWARD A. OLSEN
8 Assistant United States Attorney
9 Attorneys for Defendants

10 Dated: October 25, 2007

11 /s/
12 JOSEPH TSE
13 Lun & Associates

14 **ORDER**

15 Pursuant to stipulation, IT IS SO ORDERED.

16 Dated: 10/26/07

17 
18 JEREMY FOGEL
19 United States District Judge